

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA  
Civil Action No. 1:20-CV-1049

JESSICA JOHNSON, on behalf )  
of herself and all other similarly )  
situated, )

Plaintiff, )

v. )

PALMS ASSOCIATES, LLC, and )  
DURHAM MEWS, LLC, f/k/a )  
DURHAM SECTION I )  
ASSOCIATES, LLC, )

Defendants. )

**DEFENDANTS'**  
**MOTION TO STAY**

NOW COME Defendants Palms Associates, LLC and Durham Mews, LLC f/k/a Durham Section I Associates, LLC, by and through their undersigned counsel, and pursuant to Rule 26(c) of the Federal Rules of Civil Procedure to move the Court to enter an order staying all further proceeding, including discovery, pending determination of Plaintiff's Motion for Partial Judgment on the Pleadings [DE 17] and Defendants' forthcoming Motion for Judgment on the Pleadings. The specific grounds for this motion are set forth in the Memorandum of Law in Support of Defendant's Motion to Stay, which is being filed contemporaneously herewith in accordance with Local Civil Rule 7.3. Defendants have conferred with plaintiff in good faith in an effort to reach

an agreement on this issue without the need for court intervention. Plaintiff does not consent to this Motion.

WHEREFORE, Defendants respectfully requests that the Court grant a stay of all discovery pending resolution of Plaintiff's Motion for Partial Judgment on the Pleadings and Defendants' forthcoming Motion for Partial Judgment on the Pleadings, and grant any further relief as the Court deems just and proper.

Respectfully submitted, this the 30<sup>th</sup> day of July, 2021.

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## **CERTIFICATE OF SERVICE**

I hereby certify that on July 30, 2021, I electronically filed the foregoing *Motion to Stay* with the Clerk of Court using the CM/ECF, which will send notification of such filing to the following:

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